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General Assembly
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Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 29 April 2008 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The protection of civilians in armed conflict has been repeatedly declared a priority mission of the United Nations and of the Security Council in particular. International humanitarian law, particularly the Geneva Convention relative to the Protection of Civilians in Time of War, comprises several provisions explicitly aimed at ensuring the protection, safety and well-being of civilians in situations of armed conflict, including situations of foreign occupation.

Regrettably, in the Occupied Palestinian Territory, the Palestinian civilian population has never received such protection and remains highly vulnerable and exposed to the lethal force continuously unleashed by Israel, the occupying Power. Palestinian civilians, including children, continue to be killed, wounded and maimed by the Israeli occupying forces in military assaults indiscriminately launched in densely populated civilian neighbourhoods, particularly in the Gaza Strip, where the population already suffers inordinately from the collective punishment imposed on them by the occupying Power's inhumane siege. In addition to the high civilian casualties and vast and wanton destruction inflicted, the violent attacks by the occupying Power have terrorized the entire civilian population. Families live in constant fear for their lives, even in their own homes, and trauma, anxiety and depression are widespread among all age groups, affecting all aspects of life.

The latest horrific attack against innocent civilians occurred yesterday in the Gaza Strip, where again Beit Hanoun was the scene of bloodshed and tragedy as yet another family suffered a massacre at the hands of the occupying forces. As the Abu Me'tiq family gathered to eat breakfast, Israeli tank fire struck their home, killing the mother and her four young children, critically wounding two other children and destroying the home and the lives of the remaining family members. Indeed, their lives have been irreparably altered as they grieve the loss of Miyassar, the mother, and the children, Mus'aad, 1 year old, Hanaa', 3 years old, Saleh, 4 years old, and

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Rudina, 6 years old. Another boy, Ayyoub Attallah, age 17, was also killed in the same attack as he walked to school, and at least nine other people, including children, were injured.

The killings of these innocent children and woman are, deplorably, not an aberration in the Occupied Palestinian Territory, for death rages through Gaza in particular nearly every day as the occupying Power continues to carry out a senseless, depraved military campaign against the civilian population. The long lists of martyrs attached to our many letters to you, including the present letter, attest to the ongoing, widespread killing of civilians, including children and women. The failure of the international community to hold Israel accountable for such grave breaches and the failure of the international community to uphold its responsibility to protect have undeniably reinforced Israel's impunity, permitting it to continue committing extrajudicial killings and using excessive force against a defenceless civilian population under the pretext of security or "counter-terror", while it continues to ignore its very presence as an occupying Power and to ignore its responsibilities under international law in this regard.

In this connection, we reiterate our strong conviction that there is no pretext or reason that can justify such inhumane treatment of civilians. International law forbids such brutality and cruelty — international humanitarian and human rights law prohibit the killing and bodily injury of civilians, prohibit reprisals against civilians and civilian objects, prohibit the wanton destruction of homes and other civilian property, prohibit extrajudicial executions and prohibit the collective punishment of civilians. Moreover, such incidents cannot simply be brushed aside as "mistakes", as some Israeli officials have tended to coldly refer to recent killings of civilians in Beit Hanoun and elsewhere in the Occupied Palestinian Territory. What these killings actually constitute are war crimes under article 147 of the Fourth Geneva Convention and article 8 of the Rome Statute of the International Criminal Court. Investigations should be launched into these crimes, and the perpetrators must be held accountable for their breaches of the law. Continued tolerance of this abhorrent behaviour by the occupying Power against the Palestinian people will only lead to more loss of human life.

The international community, including the Security Council, has clear responsibilities in this regard, including the responsibility to protect civilians in armed conflict. Urgent action should be taken to compel Israel to cease its military campaign and its obstruction of humanitarian assistance and the movement of persons and goods in order to protect human life and alleviate the suffering of the civilian population in the Occupied Palestinian Territory, especially in the Gaza Strip, where any semblance of normal life has been destroyed by the occupying Power's ongoing siege and attacks.

This letter is in follow-up to our previous 313 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 16 April 2008 (A/ES-10/417-S/2008/256), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

In follow-up to the above-mentioned letters, I regret to inform you that, since our letter to you two weeks ago, at least 27 Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 5,197 people. (The names of the martyrs that have been identified are included in the annex to this letter.)

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires a.i.

Annex to the identical letters dated 29 April 2008 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (from Thursday, 17 April 2008, to Tuesday, 29 April 2008)

Thursday, 17 April 2008

1. Bilal Mohammad Kmayel
2. Izz El-Din Mohammad Zakarneh
3. Usama Abu Anza

Friday, 18 April 2008

4. Hani Al-Kaa'bi

Saturday, 19 April 2008

5. Hisham Abdel Rahman Zhaher
6. Riyad Abdallah Al-Tanani
7. Mohammad Husain Abdel Rahman
8. Zaher Aadel Shamiyyeh
9. Mohammad Moussa
10. Muin Hamdouneh
11. Ehab Na'eem Abu Amre
12. Ahmad Abdel Majeed Al-Najjar (17)

Sunday, 20 April 2008

13. Nour Salman Al-Dibari
14. Najeeb Nasr Al-Serhi
15. Bilal Al-Duhaini (16)

Monday, 21 April 2008

16. Othman Ahmad Abu Hajar
17. Fadi Jamal Salem
18. Ibrahim Mahmoud Shalash
19. Ekremeh Abu Odeh

Saturday, 26 April 2008

20. Mariam Tal'aat Abu Ma'rouf (14)

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 5,197.

Monday, 28 April 2008

21. Miyassar Abu Me'tiq
22. Saleh Abu Me'tiq (4)
23. Hanaa' Abu Me'tiq (3)
24. Rudina Abu Me'tiq (6)
25. Mus'aad Abu Me'tiq (1)
26. Ayyoub Attallah (17)
27. Mu'aaz Al-Akhras